IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

WP(C).No. 1512 of 2005(E)

PETITIONER:
---

1. DR. SILSILAMMA GEORGE,
ASSOCIATE PROFESSOR, DEPARTMENT OF
VETERINARY BIOCHEMISTRY, COLLEGE OF
VETGERINARY & ANIMAL SCHIENCES, MANNUTHY.

2. DR.K.P. SREEKUMAR,
ASSOCIATE PROFESSOR, DEPARTMENT OF
VETERINARY PHYSIOLOGY, VETERINARY COLLEGE,
MANNUTHY.

3. DR. GEORGE T. OOMMEN, ASSOCIATE
PROFESSOR, COE IN MEAT SCIENCE & TECHNOLOGY
MANNUTHY.

4. DR. P.J. RAJAKAMAL, ASSOCIATE
PROFESSOR, DEPARTMENT OF VETERINARY
EXTENSION, VETERINARY COLLEGE, MANNUTHY.

BY ADV. SRI.P.RAVINDRAN
SRI.ANIL SIVARAMAN
SMT.ANU SIVARAMAN

RESPONDENTS:
---

1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY, AGRICULTURE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. KERALA AGRICUTURAL UNIVERSITY,
REPRESENTED BY ITS REGISTRAR.

3. PRINCIPAL, VETERINARY COLLEGE,
MANNUTHY.

BY ADV. SRI.N.D.PREMACHANDRAN, SC, AGRL.UNTY.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/02/2007, ALONG WITH WPC NO.2809/05 and connected cases, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.C.NO.1512 OF 2005

A P P E N D I X

Petitioners' Exhibits :

EXT.P1: TRUE COPY OF THE GO(MS) 246/96/AD DT. 16.7.1996.

EXT.P2: TRUE COPY OF THE ORDER DT. 19.10.1996 REDESIGNATING THE POST OF ASST.PROFESSORS AS ASST.PROFESSOR (SENIOR SCALE)

EXT.P3: TRUE COPY OF GO(MS) 198/2000 DT. 9.6.2000.

EXT.P4: TRUE COPY OF COMMUNICATION DT. 30.9.2004.

EXT.P5: TRUE COPY OF ORDER OF THE REGISTRAR DT. 22.1.2005.

EXT.P6: TRUE COPY OF THE COMMUNICATION DT. 7.1.2006.

EXT.P6A TRUE COPY OF THE COMMUNICATION DT. 2.12.2005.

EXT.P6B TRUE COPY OF THE COMMUNICATION DT. 7.1.2006.

EXT.P6C TRUE COPY OF THE ORDER DT. 19.8.2006.

TGS

KURIAN JOSEPH, J.

W.P.(C) Nos.1512, 2809, 6864, 5145, 7132, 7230, 7279, 8485, 14575, 15227, 17327, 18385, 18424, 18426, 18624, 19367, 19388, 19554, 19559, 19767, 19775, 19900, 20016, 20044, 20089, 20090, 20093, 20094, 20192, 20506, 20724, 20725, 20730, 20818, 20839, 20865, 21034, 21100, 21154, 21408, 21654, 21779, 21822, 21823, 22334, 22515, 22516, 22824, 22840, 23403, 24468, 24500, 24753 25768, 29646, 30304, 31200 & 34942 of 2005, 22369, 24220, 24211, 2948, 4851, 8933 and 10948 of 2006

Dated 7th February, 2007.

J U D G M E N T

Heard the learned counsel appearing for the petitioners including the senior counsel Sri.Sugunapalan and Sri.Ranjit Thampan, learned Standing Counsel appearing for the Agricultural University and the learned Government Pleader.

2. The main issue raised in these writ petitions pertains to the service conditions of the teachers working in the Kerala Agricultural University, Mannuthy. It is seen that during the pendency of the writ petitions, some of the petitioners were heard on their grievances and the Government passed order dated 19.8.2006. Subsequently, it is seen that the Government itself has kept in abeyance the said order, as can be seen from the communication dated 19.9.2006. Some of the learned counsel appearing on behalf of the unions submit that the

Government is actively reconsidering the whole issue and is proposing to pass a revised order dealing with individual as well as common issues raised in these writ petitions. On the developments referred to above, there is no affidavit by the Government. Though the University has filed statements in some cases and though the learned counsel appearing for the University also raised several contentions, it is fairly clear that ultimately, it is for the Government to take a decision. Counsel on all sides agree that the matter can be relegated to the Government and at this stage, this Court need not go into the various contentions. Therefore, it is not necessary for this Court to go into the individual grievances of the teachers since in any case, the Government is seized of the matter. Accordingly, the writ petitions are disposed of directing the Government to take a fresh decision in the matter, with notice to the petitioners and the University within four months from the date of production of a copy of the judgment. The interim orders passed by this Court will continue till a decision is taken by the Government. It is made clear that I have not considered the legal contentions taken by the parties and they are left open. It is also made clear that it will be open to the petitioners to file supplementary

representations before the Government, if so advised, within a period of one month from today. Any action taken by the University in the meanwhile will be subject to the decision taken by the Government as above.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J.

W.P.(C) Nos.1512, 2809, 6864, 5145, 7132, 7230, 7279, 8485, 14575, 15227, 17327, 18385, 18424, 18426, 18624, 19367, 19388, 19554, 19559, 19767, 19775, 19900, 20016, 20044, 20089, 20090, 20093, 20094, 20192, 20506, 20724, 20725, 20730, 20818, 20839, 20865, 21034, 21100, 21154, 21408, 21654, 21779, 21822, 21823, 22334, 22515, 22516, 22824, 22840, 23403, 24468, 24500, 24753 25768, 29646, 30304, 31200 & 34942 of 2005, 22369, 24220, 24211, 2948, 4851, 8933 and 10948 of 2006

J U D G M E N T

Dated 7th February, 2007.